

PA

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/077,541	FRIEDMAN, VLADIMIR	
	Examiner	Art Unit	
	Qutub Ghulamali	2637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 09/14/2005.
2.  The allowed claim(s) is/are 1-8, 13 and 15-26.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All b)  Some\* c)  None of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## DETAILED ACTION

### Acknowledgement

1. This Office Action is responsive to the Amendment filed by the applicant on 09/14/2005.
2. The applicant's amendment, with reference to claims 1, 13, 15 and 17, is hereby acknowledged by the examiner. Applicant has cancelled claims 9-12 and 27-31.

### *Allowable Subject Matter*

3. Claims 1-8, 13, 15-26 allowed.
4. The following is an examiner's statement of reasons for allowance:

Regarding claims 1, 5, 13, 17 and 22, the prior art of record discloses a transmitter transmits with a power spectral density that is controlled to provide data rates for each channel in the communication system. The prior art however, in combination with other claimed limitations neither teaches nor renders obvious a power back-off method mitigate effects of far-end crosstalk the method comprising determining a transmit power spectral density for the transmitter k,  $S(f, l_k)$  according to;

$$S(f, l_k) = \left( \frac{l_k}{l_R} \right)^{\nu} \frac{S(f, l_R) \cdot |H(f, l_R)|^2}{|H(f, l_k)|^2} \text{ for } l_k \leq l_R$$

and controlling transmitter k to transmit at the transmit power spectral density  $S(f, l_k)$ .

Such limitations, as recited in independent claims 1, 5, 13, 17 and 22, is neither anticipated nor rendered obvious by the prior art of record.

Art Unit: 2637

5. Claims 2-4, 6-8, 15-16, 18-21, 23-26 are allowed by virtue of their dependency to the claim highlighted above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

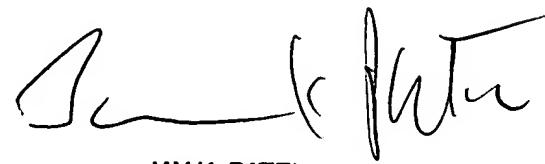
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Qutub Ghulamali* whose telephone number is (571) 272-3014.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jay Patel* can be reached on (571) 272-2988. Any response to this action should be mailed to:

*Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Or via fax phone to: (571) 273-8300.*

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QG.  
September 28, 2005.



JAY K. PATEL  
SUPERVISORY PATENT EXAMINER